

Message Text

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ACTION EUR-12

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FM USMISSION USBERLIN

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 0495

AMEMBASSY BERLIN UNN

AMEMBASSY WARSAW

C O N F I D E N T I A L USBERLIN 0294

E.O. 11652: GDS

TAGS: PGOV, SREF, WB, GE, PL

SUBJECT: POLES SEEK RETURN FROM SENAT OF EAST BERLIN

EMBASSY DEPENDENT

1. SUMMARY: CHIEF OF POLISH MILITARY MISSION KOPA CALLED ON BRITISH MINISTER FEBRUARY 13 WITH REQUEST THAT BRITISH USE GOOD OFFICES TO ENCOURAGE SENAT TO REPATRIATE 17-YEAR OLD DAUGHTER OF MEMBER OF TECHNICAL AND ADMINISTRATIVE STAFF OF POLISH EMBASSY IN EAST BERLIN WHO RAN AWAY FROM HOME SEVERAL MONTHS AGAO AND WAS DISCOVERED LIVING IN WEST BERLIN FEBRUARY 7. ALLIES INTEND TO TRY TO STAY IN BACKGROUND, BUT HAVE LET SENAT KNOW THAT WE WOULD NOT SUPPORT FORCIBLE REPATRIATION. END SUMMARY.

2. SENAT ADVISED US FEBRUARY 7 THAT POLICE, IN COURSE OF INVESTIGATING THEFT TO WHICH GIRLS HAD BEEN WITNESSES

PREVIOUS DAY, HAD DISCOVERED THAT TWO SISTERS, ELZBIETA AND WANDA ZAK, AGES 24 AND 18 RESPECTIVELY, WERE LIVING IN WEST BERLIN WITHOUT RESIDENCE DOCUMENTATION.

GIRLS IDENTIFIED THEMSELVES AS DAUGHTERS OF DOORMAN

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AT POLISH EMBASSY, AND ELDER GIRL PRODUCED EXPIRED

POLISH DIPLOMATIC PASSPORT AND GDR RE (DIPLOMATIC) AUSWEIS. BOTH GIRLS INDICATED THEY WISHED TO REMAIN IN WEST BERLIN AND WOULD APPLY FOR REFUGEE OR POLITICAL STATUS. (SENAT HAD BEEN APPROACHED IN NOVEMBER BY POLISH MILITARY MISSION WITH REQUEST THAT THEY SEARCH FOR GIRLS, WHO HAD BEEN MISSING FROM EAST BERLIN SINCE SEPTEMBER.) ELDER GIRL WAS QUESTIONED BY ALIEN POLICE AND RELEASED. YOUNGER GIRL WAS HELD IN JUVENILE HOME AS MINOR, AND SENAT SENT TELEGRAM DIRECTLY TO FATHER INFORMING HIM HE COULD VISIT HER IF HE DESIRED. SENAT INDICATED THAT IT WOULD NOT PERMIT GIRLS TO BE REMOVED FROM WEST BERLIN AGAINST THEIR WISHED AND APPOINTED GUARDIAN FOR MINOR.

3. FATHER, WHOM SENAT HAS TOLD US WAS SUBSEQUENTLY TRANSFERRED FROM EAST BERLIN, APPARENTLY ADVISED SUPERIORS OF GIRLS' PRESENCE IN WEST BERLIN, AND KOPA RAISED MATTER FORMALLY WITH HERZ AND INFORMALLY WITH GOVERNING MAYOR. POLES SEEM PREPARED TO WASH HANDS OF OLDER GIRL BUT INSISTED THAT AS FIRST STEP TOWARD REPATRIATION, THEY SHOULD BE PERMITTED CONSULAR ACCESS TO YOUNGER GIRL. SENAT HAS TAKEN POSITION THAT FATHER CAN VISIT IF HE DESIRES BUT, UNDER GERMAN LAW, GIRL IS NOT COMPELLED TO SEE POLISH GOVERNMENT OFFICIAL IF SHE DOES NOT WISH TO DO SO.

4. BRITISH MINISTER, UPON WHOM KOPA CALLED BECAUSE BRITISH HAVE PRIMARY RESPONSIBILITY FOR DEALING WITH POLISH MILITARY MISSION, PLAYED DUMB ON MATTER AND KOPA DID NOT DISPUTE HIS MAIN POINT THAT MATTER WAS ONE FOR GERMAN AUTHORITIES TO RESOLVE. KOPA EXPRESSED HOPE THAT BRITISH WOULD SHARE POLES' VIEW THAT GIRL SHOULD GO HOME AND WOULD CONVEY THIS TO SENAT. WAS TO HAVE SEEN HERZ AGAIN FEBRUARY 14.

5. BRITISH ARE INCLINED TO SHARE OUR VIEW THAT IT COULD DO NO HARM TO SUGGEST THAT SENAT MIGHT PERMIT MEETING BETWEEN YOUNGER GIRL AND POLISH MILITARY MISSION UNDER CONTROLLED CIRCUMSTANCES. SENAT ADVISES US, HOWEVER, THAT GIRL WILL REACH AGE OF MAJORITY (18)
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FEBRUARY 17. SHE WOULD THEN PRESUMABLY BE RELEASED FROM DETENTION ON HER OWN RECOGNIZANCE IN SAME MANNER AS SISTER, AND POLES WOULD BE FREE TO SEEK TO CONTACT AND VISIT HER IF SHE IS WILLING. SENAT WOULD THEN PRESUMABLY SEE THAT HER APPLICATION TO REMAIN IN CITY WAS PROCESSED ROUTINELY AND WOULD RESIST ANY FURTHER POLISH REQUESTS THAT SHE BE COMPELLED TO RETURN TO POLAND OR EAST BERLIN.

6. WE INTEND TO KEEP IN TOUCH WITH SENAT ON DEVELOPMENTS
BUT WOULD HOPE THAT ALLIED INVOLVEMENT COULD CONTINUE TO
BE KEPT TO MINIMUM. GEORGE

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